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Group No. _____ File No. _____

**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
NASHVILLE ENVIRONMENTAL FIELD OFFICE**

711 R. S. GASS BOULEVARD
NASHVILLE, TENNESSEE 37243

PHONE (615) 687-7000 STATEWIDE 1-888-891-8332 FAX (615) 687-7078

December 5, 2012

**CERTIFIED MAIL # 7010 1670 0000 0418 7567
RETURN RECEIPT REQUESTED**

Robert C Hosier
Earth First Recycling
General Manager
151 Bain Drive
La Vergne TN 37086

Re: Earth First Material Separation
ID#: SWP 63-1438

Dear Mr. Hosier:

On November 27, 2012, staff from this office conducted an inspection at the Earth First Material Separation facility in Montgomery County. During this inspection a continuing condition of non-compliance was noted. This facility has been cited numerous times for the violation of regulations associated with waste management over the past six months. Specifically, there is a large quantity of wood waste that has been improperly stored onsite for over twelve months.

Regarding solid waste processing facilities, Rule 0400-11-01-.02(1)(C)1(i)(IX) states that there is to be "... no storage of solid wastes at the facility except in the containers, bins, lined pits or on paved surfaces, designated for such storage." This Office has concluded that Earth First Material Separation has violated this rule by storing waste on the ground instead of in containers or on a lined surface. As noted before, the waste has been stored on-site for over a year.

By violating the Rule, Earth First has also violated the Tennessee Code Annotated. Therefore, this is your Notice of Violation of Section 68-211-104(3) of the Tennessee Code Annotated which states "It is unlawful to construct, alter, or operate a solid waste processing or disposal facility or site in violation of the rules, regulations, or orders of the commissioner or in such a manner as to create a public nuisance."

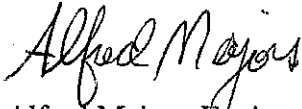
A Compliance Review Meeting has been scheduled for December 20, 2012 at 9:00 a.m. to address this issue. The meeting will be held at the Nashville Environmental Field Office located at 711 R. S. Gass Blvd. in Nashville, Tennessee. The purpose of this meeting is to give you the opportunity to discuss the violation and the steps you intend to take to bring the facility into compliance.

Mr. Rob Hosier
December 5, 2012

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If further clarification is needed, or if we can be of any assistance, please feel free to contact Jerry Branham or me at (615) 687-7000.

Sincerely,

A handwritten signature in cursive script that reads "Alfred Majors".

Alfred Majors, Environmental Field Office Manager, NFO
Division of Solid Waste Management

ATM/JB

cc: Division of Solid Waste Management- Central Office